REMARKS

Claims 1- 21 were pending in the application. Claims 1, 5, 8, 9, 17, and 21 have been amended. Claims 2 and 18 have been cancelled. Applicant respectfully requests reconsideration of the pending claims 1, 3-17, and 19-21.

CLAIM REJECTIONS UNDER 35 USC §102

The Office Action rejected claims 1, 3, and 7 under 35 USC 102(e) as being anticipated by Liang (US 6,738,811) hereafter referred to as Liang.

Claim 1, as amended, is not anticipated by Liang because Liang does not teach or suggest the use of a Bayesian network model to predict future events. (Office Action at page 3) Support for this claim amendment can be found at paragraphs [0015] and [0016] of Applicant's specification.

Claims 3 and 7 are dependent upon claim 1 and are therefore not anticipated by Liang for at least the same reasons that claim 1 is not anticipated by Liang.

CLAIM REJECTIONS UNDER 35 USC §103

The Office Action rejected claims 2, 5-6, 17-18, and 21 under 35 USC 103(a) as being unpatentable over Liang in view of Chirashnya et al. (US 2002/0019870) hereafter referred to as Chirashnya.

Claim 2 has been cancelled, thus rendering its rejection moot.

As to claim 5, Applicant respectfully disagrees with the Examiner. Chirashnya's diagnostic unit does *not* filter event information such that some information is eliminated to reduce storage requirements. Additionally, claim 5 has been amended to incorporate other functions such as: aligning the events and categorizing the events according to time-dependency. For these reasons and for the reason that claim 5 is dependent on claim 1, claim 5 is not unpatenbable over Liang in view of Chirashnya. Support for the amendment to claim 5 can be found in paragraphs [0009] and [0018] of Applicant's disclosure.

Claim 6 is not unpatentable over Liang in view of Chirashnya due to its dependency on claim 1.

Claim 17, as amended, is not unpatentable over Liang in view of Chirashnya because the combination of the two does not teach or suggest the use of a filter mechanism for aligning, categorizing, and eliminating event information. Support for the amendment can be found at paragraph [0018 – 0019] in Applicant's disclosure. Chirashnya at paragraph [0051] discusses "The database is subsequently updated automatically, in real time, to reflect any changes that occur, such as addition or removal of nodes 24, or disabling or enabling of ports on switches 28, for example." This is not the same as filtering the event information from the logs.

Claim 18 has been cancelled.

Claim 21, as amended, is neither taught nor suggested by the combination of Liang and Chirashnya. Liang, at col. 5, lines 5-13, recites "monitoring a plurality of predefined parameters of designated applications/programs/parts executing/running in the server." This is not the same as the claimed elements of "determining when it is necessary to collect additional

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information concerning said system parameters or said critical event occurrence; and probing the system for the additional information." Contrary to Liang's uni-purpose monitor, Applicant's probe generator performs dual functions: it first determines if there is sufficient information to reach a decision; and second, if there is not sufficient information, the probe generator searches for the additional information. Support for the claim amendment can be found at paragraphs [0009] and [0023] of Applicant's disclosure.

The Office Action rejected claim 8 under 35 USC 103(a) as being unpatentable over Liang in view of Castelli et al. (US 2003/0023719), hereafter referred to as Castelli.

Claim 8, as amended, forms a warning window for *only* each node in the cluster *in which at least one error has occurred in order to reduce system requirements*, and for each node, the window displays the predicted performance parameter for a predetermined future period of time. Displaying this data for error-prone nodes only substantially reduces the storage and processing requirements of the system. This is not taught by Liang or Castelli. Support for the claim amendment can be found at paragraph [0020] of Applicant's disclosure.

The Office Action rejected claims 9-16, and 19-20 under 35 USC 103(a) as being unpatentable over Liang in view of Chirashnya in further view of Harrop (US 7,225,250) hereafter referred to as Harrop.

Claim 9 is not rendered unpatentable by the cited references because none of the cited references teaches or suggests "using said cluster representation to redistribute tasks among said nodes based upon said predicted node performance." Harrop's monitoring system does not redistribute tasks among nodes based on a cluster representation.

Claims 10-16 are dependent on claim 9 and are therefore patentable for at least the same reasons that claim 9 is patentable.
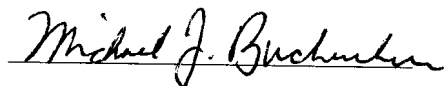
Claims 19 and 20 are dependent on claim 17 which, as discussed above, Applicant believes is patentable over Liang in view of Chiranya; therefore claims 19 and 20 are patentable and their rejection should be withdrawn.

The Office Action rejected claim 4 under 35 USC 103(a) as being unpatentable over Liang as applied to claim 1, in view of Odhner (US 6,862,623) hereafter referred to as Odhner.

Claim 4 is dependent on claim 1 which, as discussed above, Applicant believes is patentable. Therefore, claim 4 is patentable for at least the same reasons its parent claim is patentable.

For the foregoing reasons, Applicant respectfully requests allowance of the pending claims.

Respectfully submitted,

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